

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL GONIDAKIS, et al.,	:	
	:	
Plaintiffs,	:	Case No. 2:22-cv-0773
	:	
v.	:	Chief Judge Algenon L. Marbley
	:	
OHIO REDISTRICTING COMMISSION, et al.,	:	Magistrate Judge Elizabeth P. Deavers
	:	
Defendants.	:	

OPINION & ORDER

Having reviewed Plaintiffs' Emergency Motion (ECF No. 73) for appointment of a three-judge panel, and the parties' responses thereto (ECF Nos. 76–81), the Court concludes that this case should come before a panel to determine the path forward.

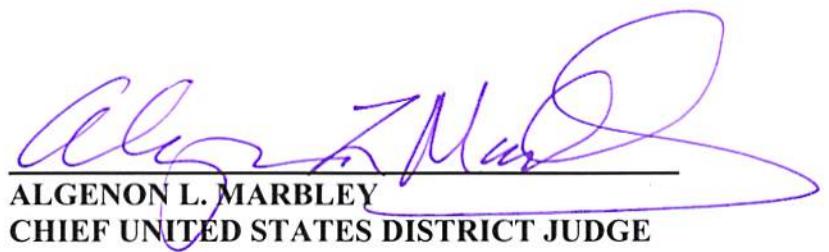
Following the Ohio Supreme Court's recent decision invalidating the Commission's third map, *see League of Women Voters of Ohio v. Ohio Redistricting Comm'n*, 2022-Ohio-789, the question before this Court now exceeds a simple ripeness issue of whether state processes remain ongoing, and instead implicates the willingness and ability of state branches timely to perform their redistricting duty. *Cf. Growe v. Emison*, 507 U.S. 25, 33–34, 36–37 (1993). The former is a straightforward justiciability ruling that may be entered by a single Judge, *see Gonzalez v. Automatic Emps. Credit Union*, 419 U.S. 90, 100 (1974); the latter demands a more searching analysis that approaches the province of a panel. The Court suggests no view on the propriety of a renewed stay while state processes continue on a fourth map, but it finds the parties' arguments on that issue are more appropriate before a panel.

Accordingly, the stay entered by the Court at the status conference of March 14, 2022, is **LIFTED**. The Chief Judge of the Sixth Circuit Court of Appeals has been notified of the panel request, per 28 U.S.C. § 2284(b)(1). His Order appointing a panel will follow on the docket.

The Clerk shall terminate the Motions to Stay filed by the LWVO Parties (ECF No. 33) and the Bennett Parties (ECF No. 59), noting that the requested stay was **GRANTED** by oral ruling at the status conference of March 14 but is **LIFTED** by this Opinion. The Clerk also shall terminate Plaintiffs' Second Emergency Motion to Vacate the Stay and for Immediate Appointment of a Three-Judge Panel (ECF No. 73), which is **GRANTED**.

All deadlines that were suspended during the stay—including for responsive pleading and for briefing on Plaintiffs' Motion for a Preliminary Injunction—will be addressed by the panel.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: March 18, 2022